

CITY of WOODSTOCK

Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Zoning Administrator in the Community Development Department at 770.592.6039 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Joel Barker

Phone: 770-778-9133

Applicant's Information:

Name: William D. Pettit, III

Address: 1938 Fairview Ave E, Suite 100

Phone: 206-676-5300

City, State, Zip: Seattle, WA 98102

Fax: _____

Property Owner's Information:

☐ same as above

Name: Rachel M. Smith

Address: 12730 Hwy 92 E

Phone: 770-926-6595

City, State, Zip: Woodstock, GA 30188

Fax: _____

Requested Public Hearing (check all that apply):

☒ Annexation

☒ Rezoning

☒ Variance

☐ Comprehensive Plan Amendment

☐ Other: _____

STAFF USE ONLY:

Case: A # 061-12

Received by: PATT HART

Fee Paid: \$ N/A per City Manager

Date: 12.7.12

PUBLIC HEARING SCHEDULE:

Public Input Meeting: _____

Planning Commission: 2.7.13 07PM

Board of Appeals: N/A

City Council: 2.25.13 07PM

Other: DRC

Property Information:Location: 12730 Hwy 92 E, Woodstock, GA 30188Parcel Identification Number(s) (PIN): 15-1176-0121 Total Acreage: 5.77Existing Zoning of Property: R80 Future Development Map Designation: T4-Neighborhood Living
N.East - GCAdjacent Zonings: North Light GC South R2-SFR SEast OSI West GCApplicant's Request (Itemize the Proposal): Annexation & RezoningSenior Living Community (SL-C) For Assisted Living & Memory Care Community150 Units - 100% Assisted Living 76 Parking SpacesVariance- 7.746 Front Build Line moved back away from Hwy 92Variance-7.746.3 Parking to be allowed in front as a Hwy 92 road noise buffer & conform to adjacents.

Proposed Use(s) of Property:

Senior Assisted Living & Memory Care Community**Infrastructure Information:**Is water available to this site? ☒ Yes ☐ NoJurisdiction: Cherokee County

How is sewage from this site to be managed?

Cherokee CountyWill this proposal result in an increase in school enrollment? ☐ Yes ☒ NoIf yes, what is the projected increase? N/A students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	N/A	0.725	
Multi Family (Attached) Home	N/A	0.287	

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 45 trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/Townhome	N/A	9.57	
220	Apartment		6.63	
* A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.				

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled dates, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, William D. Pettit, III, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 6th day of December, 2012.

Print Name William D. Pettit, III

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APPLICANT RESPONSE STATEMENT

ANNEXATIONS AND REZONINGS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
Build a 100% Assisted Living & Memory Care Neighborhood Community
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. 3 sides (N,E,W) are all GC & OSI
South side is R2-SFR which our residential community is designed to compliment.
3. How the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property. Ours community will only enhance. The elderly parents of the adjacent neighborhood will live in our community. Our residents can walk to the restaurants & retail.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned. No. It is very unlikely a SFR neighborhood would want to be built adjacent to HWY 92 with 34,000/day cars/semi-truck noises passing by.
5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
No. Over half of our residents can't drive. We have shuttle buses. 6-12 employees/shift.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan. Yes. We are a Commercial Residential Neighborhood Community.
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed zoning.

The car/semi-truck traffic counts are growing every year on HWY 92 and that trend would support a Senior Assisted Living Community. Our community would serve as a noise buffer for the SFR neighborhood south of us. The average age of residents is 83 years old. The majority of our Assisted Living residents cannot drive anymore and can walk to the restaurants, retail, banks and businesses nearby for exercise. We also have our own shuttles for them, but we highly encourage exercise to encourage independence as much as possible.

APPLICANT RESPONSE STATEMENT VARIANCES

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative:

1. Explain requested variance.
See Attached.
2. How any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.
See Attached.
3. How the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of right commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.
See Attached.
4. How the special conditions and circumstances do not result from the actions of the applicant.
See Attached.
5. How granting of the variance requested will not confer on the applicant any special privileges that is denied by the Zoning Ordinance to other lands, structure(s) or building(s) in the same district.
See Attached.
6. How no non-conforming use of neighboring lands, structures, or buildings in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.
See Attached.
7. Explain how this requested variance is the minimum necessary that will allow the reasonable use of the land, structure(s) or building(s).
See Attached.
8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare.
See Attached.

Attached Responses to:

Applicant Response Statement - Variance

1. To provide a “noise and safety buffer” from Hwy 92 and allow parking in the front of the facility.
2. 34,000 Cars/Trucks per day on Hwy 92 creates a lot of noise pollution. The adjoining and other uses along Hwy 92 are set back and have parking in the front of their respective businesses. This would maintain uniformity of all businesses and structures along 92.
3. The adjacent businesses have set backs and parking contiguous to Hwy 92.
4. Hwy 92 is a major thorough fare with predominately retail and office uses that have set backs and parking fronting Hwy 92.
5. The majority of the business in the District have parking in front of their businesses and are set back from the street.
6. This parcel lies in the overlay district with various zonings and requirements in the district. We are not familiar with other S/L zoning along Hwy 92 that have received variances nor requested any.
7. Utilization of a building set back with parking in front of the facility allows our residents, prospective residents and visitors visual and controlled access to the main lobby (business area). We would like more parking in the front, but as presented we feel would be a viable balance between our needs and the site characteristics of the adjacent businesses.
8. By allowing the variance it will cause the Seniors Facility to be in site balance/alignment with other businesses along Hwy 92 in that immediate area. Provide a “noise and Safety barrier” from Hwy 92.